

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-md-03076-KMM/EIS

In RE:

FTX CRYPTOCURRENCY EXCHANGE
COLLAPSE LITIGATION

ORDER ON JURISDICTIONAL DISCOVERY MOTIONS

On January 17, 2024, this Court held a discovery hearing at which eight discovery motions (ECF Nos. 446-450, 455, 458, 471) were addressed. The discovery disputes addressed in those motions and at the hearing concerned the limited jurisdictional discovery that was authorized by Judge Moore in his December 18, 2023 Order (ECF No. 422). The Court announced its rulings on the record of the hearing together with the supporting reasoning. This Order is entered to memorialize those rulings on the docket.

1. Specially Appearing Defendant Erika Kullberg's Motion for Protective Order (ECF No. 446) is **DENIED**, except that discovery related to service of process shall be limited to discovery addressing whether service of process was properly effected on Erika Kullberg at 40 Waterside Plaza, Apt. 11D, New York, New York on April 6, 2023. No discovery is permitted concerning how or where process can properly be served on Ms. Kullberg in the future.

2. The Plaintiffs' Motion to Compel Expedited Discovery from Defendants Erika Kullberg, Brian Jung, and Creators Agency LLC (ECF No. 448) and the Plaintiffs' Motion to Compel Expedited Discovery from Defendant Jaspreet Singh (ECF No. 449) are **GRANTED IN PART** and **DENIED IN PART**.¹ Defendants Erika Kullberg, Creators Agency LLC, and Jaspreet

¹ During the January 17 hearing, Plaintiffs announced that they had settled with Defendant Brian Jung and that the discovery issues involving him were resolved. Accordingly, the motion to compel as to Defendant Brian Jung is **DENIED AS MOOT**.

Singh shall each produce to Plaintiffs (a) any agreements that each has with FTX, any of FTX's affiliated entities, or anyone acting on behalf of FTX or FTX's affiliated entities, and (b) any agreements or communications that address the targeting of Florida. In addition, Defendants Erika Kullberg, Creators Agency LLC, and Jaspreet Singh shall each submit to a deposition addressing personal jurisdiction on or before February 1, 2024.

3. Defendant Erika Kullberg's Motion to Quash Nonparty Subpoena (ECF No. 458) is **DENIED**. However, the deposition of Arzu Malik shall be conducted by zoom, shall be limited to 2 hours, and shall be addressed to the events of April 6, 2023.

4. The Plaintiffs' Motion to Compel and Expedite Discovery as to Temasek in Accordance with the District Court's December 18, 2023 Order (ECF No. 455) is **GRANTED IN PART** and **DENIED IN PART**. Temasek Holdings (Private) Limited and Temasek International USA LLC shall each answer Plaintiffs' interrogatories as they relate to it and provide Plaintiffs with its organizational structure, and each shall produce any contracts and agreements that it has with FTX or any of FTX's affiliated entities. In addition, on or before February 1, 2024, Temasek Holdings (Private) Limited and Temasek International USA LLC shall each submit to a 4-hour zoom deposition by Plaintiffs addressing issues of personal jurisdiction, including those merits-intertwined factual disputes identified in Judge Moore's December 18, 2023 Order (ECF No. 422 at 4) concerning each's contacts with the forum state and the corporate separateness between the Temasek entities.

5. Defendants Deltec Bank and Trust Company Limited and Jean Chalopin's Motion to Quash Jurisdictional Discovery or for a Protective Order (ECF No. 471) is **DENIED**.

6. The Plaintiffs' Motion to Compel and Expedite Discovery in Accordance with the District Court's December 18, 2023 Order (ECF No. 447) is **GRANTED IN PART** and **DENIED IN PART**. Defendants Deltec Bank and Trust Company and Jean Chalopin shall produce to

Plaintiffs documents evincing Deltec Bank and Trust Company Limited's banking license and corporate structure, as well as any contracts and agreements that Deltec Bank and Trust Company Limited, other Deltec entities, or Jean Chalopin had with FTX, Alameda, and their related companies. In addition, Deltec Bank and Trust Company shall submit to a 4-hour zoom deposition by Plaintiffs, and Jean Chalopin shall submit to an additional 3-hour zoom deposition, unless Mr. Chalopin serves as the corporate representative for Deltec Bank and Trust Company and the two depositions are consolidated. The Court, however, also grants Deltec Bank and Trust Company's *ore tenus* motion for protective order: Plaintiffs shall not inquire during the depositions about Deltec Bank and Trust Company's customers or customer information, except that Plaintiffs may ask about any contracts and agreements between FTX, Alameda, and/or their related entities and either Deltec Bank and Trust Company, Jean Chalopin, or other Deltec entities.

7. The Plaintiffs' Motion to Compel and Expedite Discovery as to Sino Global in Accordance with the District Court's December 18, 2023 Order (ECF No. 450) is **GRANTED IN PART** and **DENIED IN PART**. Sino Global Capital Holdings, LLC shall produce any contracts between Sino Global Capital Holdings, LLC and its subsidiaries and related entities (including Sino Global Capital Limited) and FTX, FTX-related entities, and Alameda. In addition, Sino Global Capital Holdings, LLC shall submit to a 4-hour deposition on personal jurisdiction, including those merits-intertwined factual disputes identified in Judge Moore's December 18, 2023 Order (ECF No. 422 at 4) concerning whether Plaintiffs' allegations of civil conspiracy concerning Sino Global Capital may be imputed to Sino Global Capital Holdings LLC.

DONE AND ORDERED in chambers in Miami, Florida, this 19th day of January 2024.


 EDUARDO I. SANCHEZ
 UNITED STATES MAGISTRATE JUDGE

cc: Hon. K. Michael Moore
 Counsel of Record